

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

EDD KING, et al.,  
Plaintiffs,  
v.  
NATIONAL GENERAL  
COMPANY, et al.,  
Defendant

Case No. 15-cv-00313-DMR

**ORDER DENYING MOTION TO  
DISMISS AND MOTION TO STRIKE  
AS MOOT**

Re: Dkt. Nos. 16, 17

NATIONAL GENERAL INSURANCE  
COMPANY, et al.,  
Defendants.

Defendants filed motions to strike and to dismiss the complaint on March 3, 2015. On March 24, 2015, Plaintiffs filed a First Amended Complaint. Pursuant to Federal Rule of Civil Procedure 15(a), “[a] party may amend its pleading once as a matter of course within: (A) 21 days after serving it, or (B) if the pleading is one to which a responsive pleading is required, 21 days after service of a responsive pleading or 21 days after service of a motion under Rule 12(b), (e), or (f), whichever is earlier.”

Because Plaintiffs have timely filed the First Amended Complaint, Defendants' motion to dismiss and motion to strike are **denied as moot**.

## IT IS SO ORDERED.

Dated: March 25, 2015

*Dorothy*

Donna M. Ryu  
United States Magistrate Judge